

**EDUCATION DEPARTMENT[281]**

**Adopted and Filed**

**Rule making related to gap tuition assistance program**

The State Board of Education hereby amends Chapter 25, “Pathways for Academic Career and Employment Program; Gap Tuition Assistance Program,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 256.7(5).

*State or Federal Law Implemented*

This rule making implements, in whole or in part, 2019 Iowa Acts, House File 758, division II, sections 21 through 28.

*Purpose and Summary*

The amendments to Chapter 25 reflect changes enacted by 2019 Iowa Acts, House File 758. The Gap Tuition Assistance Program provides need-based tuition assistance to eligible applicants enrolled in approved noncredit training programs. These amendments allow community colleges to be more responsive to the needs of applicants and surrounding communities. Item 1 modifies one eligibility criterion, reducing the number of months for which an applicant is required to provide evidence of family income from six to three and adding a life-changing event as a qualifying eligibility factor. Item 2 changes several erroneous references to Division II of Chapter 25 to refer to Division III. Item 3 provides the community college discretion to approve an eligible applicant for funding in more than one eligible program. Item 4 provides greater flexibility in the assessment used to evaluate the skills and competencies of individuals applying for assistance. Item 5 provides explicit authority for the Iowa Department of Education, in consultation with the community colleges, to redistribute available funds to ensure efficient operation of the Gap Tuition Assistance Program, targeting regions with greater demand for services.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on July 3, 2019, as **ARC 4524C**. A public hearing was held on July 23, 2019, at 9 a.m. in the State Board Room, Second Floor, Grimes State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the State Board on September 12, 2019.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

An agencywide waiver provision is provided in 281—Chapter 4.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on November 13, 2019.

The following rule-making actions are adopted:

ITEM 1. Amend subparagraph **25.21(1)“a”(1)** as follows:

(1) The applicant's family income for the ~~six~~ three months prior to the date of application, or documentation of a life-changing event.

ITEM 2. Strike “Division II” wherever it appears in paragraphs **25.21(2)“a,” “b,” “e,” and “f,”** rule **281—25.25(260I)**, and subrule **25.26(1)**, and insert “Division III” in lieu thereof.

ITEM 3. Amend paragraph **25.21(2)“d”** as follows:

*d.* ~~An~~ At the discretion of the community college, an applicant ~~shall not~~ may be approved for tuition assistance under Division H III of this chapter for more than one eligible certificate program.

ITEM 4. Amend rule 281—25.24(260I) as follows:

**281—25.24(260I) Initial assessment.** An eligible applicant for tuition assistance under Division H III of this chapter shall complete an initial assessment administered by the community college receiving the application to determine the applicant's readiness to complete an eligible certificate program. The assessment shall include ~~assessments for completion of a national career readiness certificate, including the areas of reading for information, applied and mathematics, and locating information. An applicant must achieve at least a national bronze level certificate defined as a minimum level 3 for reading, mathematics, and locating information in order to be approved for tuition assistance~~ In assessing an applicant under this division, a community college shall use the national career readiness certificate, or an assessment eligible under the Adult Education and Family Literacy Act, 20 U.S.C. Ch. 73, and approved by the department for use in an adult education and literacy program. An applicant shall complete any additional assessments and occupation research required by the gap tuition assistance program or an eligible certificate program, or both.

ITEM 5. Adopt the following new rule 281—25.28(260I):

**281—25.28(260I) Redistribution of funds.** To ensure efficient delivery of services, the department, in consultation with the community colleges, may redistribute funds available to the community colleges for purposes of this division.

[Filed 9/13/19, effective 11/13/19]

[Published 10/9/19]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/9/19.